

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jason Lamon Kelly

Docket No. 4:08-CR-55-1D

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jason Lamon Kelly, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute More than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on August 6, 2009, to the custody of the Bureau of Prisons for a term of 240 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

The period of imprisonment was reduced from 240 months to 216 months on October 6, 2010, pursuant to a Rule 35 motion. On January 7, 2016, pursuant to the defendant's motion for release under the Drug Quantity Table amendment and 18 U.S.C. § 3582(c), the period of imprisonment was reduced from 216 months to 175 months.

On March 15, 2019, the defendant's case was reassigned from Senior U.S. District Judge James C. Fox to U.S. District Judge James C. Dever III.

Jason Lamon Kelly was released from custody on February 19, 2020, at which time the term of supervised release commenced.

On October 28, 2020, the conditions of supervised release were modified to include participation in a substance abuse treatment and testing program in response to the defendant testing positive for marijuana use.

On June 21, 2021, the conditions of supervised release were modified to include participation in a program of mental health treatment at the request of the defendant following the detected use of cocaine.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: During a meeting with the probation officer on August 4, 2021, the defendant admitted he is struggling with substance use. The defendant reported he was able to remain clean and sober for approximately one year, but he is now struggling with addiction. He is having difficulty setting and achieving goals, and he is struggling with his relationships with family members and his significant other. The probation officer has discussed the possibility of the defendant participating in the Eastern District of North Carolina's HOPE program, and the defendant has expressed an interest in the same. The probation officer is also recommending participation in a cognitive behavioral program to help the defendant learn how to set realistic goals and achieve them in both his personal and professional life. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program, as directed by the probation office.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Julie W. Rosa
Julie W. Rosa
Supervising U.S. Probation Officer

/s/ Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8808
Executed On: August 5, 2021

ORDER OF THE COURT

Considered and ordered this 6 day of August, 2021, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge